

REMARKS

Upon entry of the above amendment, claims 1, 3-5, 7-11 and 13 will be pending in the application. Claim 1 will have been amended to include the subject matter of claim 6. Claims 2 and 6 will have been canceled. Claims 3-5, 8, 10 and 11 will have been amended, in view of the incorporation of features recited therein into claim 1. Claim 13 will have been newly added. Reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

In the Office Action of September 27, 2004, the Examiner rejected claims 1-11 under 35 U.S.C. §103(a) as being unpatentable over Taniguchi et al. (U.S. Patent No. 6,549,232) in view of Moronaga (U.S. Patent No. 5,956,084). Applicants respectfully traverse this rejection.

Claim 1 is currently amended to include the subject matter of claim 6. Claim 1 as currently amended recites that the photographing operation control device includes a blank photographing operation performing processor that performs a photographing operation in a blank photographing mode in which image data is stored in a buffer memory without being stored in a recording medium, a normal photographing operation performing processor that performs a photographing operation in a normal photographing mode in which, after storing image data in the buffer memory, the image data is read from the buffer memory and recorded in the recording medium, and a photographing mode selecting processor that selects one of the blank photographing mode and the

normal photographing mode. Applicant respectfully submits that such combination of features are not disclosed by the Taniguchi and Moronaga references.

Applicant submits that the internal memory 40, cited by the Examiner as reading on Applicant's claimed buffer memory, is not a buffer memory. Although Taniguchi discloses a buffer memory 55, and Moronaga discloses a frame memory 207, neither reference discloses a blank photographing mode in which image data is stored in the buffer memory without being stored in a recording medium, and a normal photographing mode in which image data is stored in the buffer memory and then recorded in the recording medium, as recited in claim 1. Accordingly, Applicant submits that the rejection of claim 1 under 35 U.S.C. §103(a) is improper, and withdrawal thereof is respectfully requested. Dependent claims 3-5 and 7-11 are also submitted to be in condition for allowance at least in view of their dependence on claim 1.

Newly added claim 13 recites a photographing operation control device for an electronic still camera which includes, *inter alia*, a photographing mode set switch that switches a photographing operation between a normal photographic mode and a blank photographing mode. Claim 13 also recites that in the normal photographing mode, a system controller temporarily stores image data in a buffer memory and subsequently automatically transfer the image data to a recording medium, and that in the blank photographing mode, the system controller stores image data in the buffer memory and does not automatically transfer the image data to a recording medium. Applicant

respectfully submits that this combination of features is not disclosed in the applied prior art.

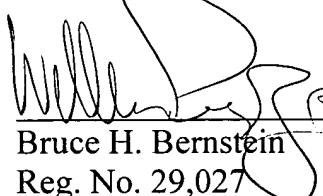
Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

Further, Applicant notes the status of the present application as being after final rejection and with respect to such status believes that there is a clear basis for the entry of the present amendment consistent with 37 C.F.R. § 1.116. Applicant notes amendments after final are not entered as a matter of right. However, Applicant respectfully submits that the amendments made do not raise any new issues requiring further search or consideration. It is also submitted that the present amendment does not raise the question of new matter.

SUMMARY AND CONCLUSION

Entry and consideration of the present amendment, reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate. Applicant has made a sincere effort to place the present invention in condition for allowance and believes that he has now done so. Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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